

IN THE SENATE OF THE UNITED STATES.

JANUARY 9, 1885.

Mr. PALMER introduced the following bill; which was read twice and referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.



A BILL

To prevent the introduction and diffusion of contagious and infectious diseases in the United States, and to promote the general sanitary welfare of the people.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That there shall be, and hereby is, established in the Treasury
4 Department a Bureau of Public Health, charged with the
5 execution of all laws passed by Congress relating to quaran-
6 tine and the public health, and with the framing and execu-
7 tion of sanitary regulations as hereinafter provided. The chief
8 officer of the said Bureau shall be denominated the Commis-
9 sioner of Public Health, and shall be under the general super-
10 vision of the Secretary of the Treasury. He shall be ap-
11 pointed by the President, by and with the advice and consent
12 of the Senate, and shall hold his office for the term of five
13 years, unless sooner removed by the President, upon reasons

14 to be communicated by him to the Senate, and until his suc-
15 cessor shall be appointed and confirmed.

1 SEC. 2. That there shall be allowed to the Commissioner
2 of Public Health an annual salary of four thousand five hun-
3 dred dollars, payable monthly, and actual necessary traveling
4 expenses in the performance of his official duties, for which
5 vouchers shall be rendered.

1 SEC. 3. That the Commissioner of Public Health shall,
2 within fifteen days from the notice of his appointment, take
3 and subscribe the oath of office. For his use the Secretary
4 of the Treasury shall provide suitable offices, and he shall
5 employ from time to time the necessary clerks, to be appointed
6 and classified by the Secretary of the Treasury, to discharge
7 such duties as the Commissioner of Public Health shall direct.

1 SEC. 4. The Commissioner of Public Health shall appoint,
2 by and with the advice and consent of the Senate, seven
3 superintendents of external and internal quarantine, embracing
4 both infected persons and infected or adulterated goods, for
5 the following districts, to wit:

6 First. One for the Atlantic coast from the port of Balti-
7 more (exclusive) northward to the boundary-line between the
8 United States and the British provinces, and thence along
9 said boundary-line to the intersection of the same with the
10 river Saint Lawrence.

11 Second. One for the Atlantic coast from the port of Bal-
12 timore (inclusive) southward to Key West (inclusive).

13 Third. One for the Gulf coast from Key West (exclusive)
14 to the Mexican border, and thence along the boundary-line
15 between the United States and Mexico to the headwaters of
16 the Rio del Norte.

17 Fourth. One for the Pacific coast and the States bor-
18 dering thereon, and the boundary-lines as far eastward as the
19 headwaters of the Rio del Norte and of the Missouri River.

20 Fifth. One for the coasts of the lakes and rivers of the
21 northern boundary of the United States, and as far west as the
22 headwaters of the Missouri River.

23 Sixth. One for the inter-State travel and traffic of all
24 States bordering on the Atlantic Ocean or east of the Alle-
25 ghany Mountains.

26 Seventh. One for the inter-State travel and traffic of all
27 the States in the Mississippi Valley.

28 The tenure of office of such superintendents of quaran-
29 tine shall be the same as that of the Commissioner of Public
30 Health. Their compensation shall be three thousand six
31 hundred dollars per annum each, payable monthly, and their
32 actual and necessary traveling expenses in the discharge of
33 their duties, for which they shall render vouchers. Like the
34 Commissioner of Public Health, they shall take and subscribe
35 the oath of office. Their duties shall consist in executing,

36 under the direction of the Commissioner of Public Health,
37 the regulations provided for in the next following section, and
38 to make full reports thereof.

1 SEC. 5. That the Commissioner of Public Health, aided
2 by the aforesaid superintendents of quarantine, shall frame a
3 code of regulations for the conduct of the external and in-
4 ternal quarantine of the United States. The sole aim and
5 scope of such regulations shall be for the protection of the
6 people against contagious and infectious diseases, and against
7 the dangers to life and health from poisonously adulterated
8 goods for the use of the people. Such regulations shall con-
9 form, as far as practicable, to the local quarantine regulations
10 in the several States. It shall be the duty of the Bureau of
11 Public Health to supplement and not to antagonize the efforts
12 of State and municipal boards of health in the work of sanita-
13 tion. Such regulations may embrace provisions for obtaining,
14 in connection with the consular service of the United States,
15 special information concerning the shipment to this country of
16 infected persons and of infected or poisoned goods, and for
17 the arrest of the same before landing; such regulations may
18 also contain proper provisions for the detention and disinfect-
19 ing of infected persons and goods in transit from one State to
20 another, and for the destruction of goods infected and poisoned
21 to such a degree that no reasonable process of purification can
22 make the same safe. Such regulations shall be approved by

23 the Secretary of the Treasury, the Attorney-General, and the
24 President, and also by the Secretary of State so far as any
25 provisions looking to the co-operation of foreign consuls are
26 concerned, before the same shall become of any validity; but
27 after such approval and after official publication they shall have
28 the force of law, for the violation of which the proper Federal
29 courts shall take cognizance.

1 SEC. 6. The Commissioner of Public Health shall appoint,
2 by and with the advice and consent of the Senate, an in-
3 spector of the ventilation, draining, and plumbing of all build-
4 ings belonging to the United States. The compensation and
5 tenure of office of said inspector shall be the same as that of the
6 superintendents of quarantine. He shall also take and subscribe
7 the oath of office. The Commissioner of Public Health,
8 aided by said inspector, shall prepare a code of regulations
9 for the ventilation, draining, and plumbing of public build-
10 ings, which said regulations, when approved by the Secretary
11 of the Treasury, the Attorney-General, and the President, and
12 officially published, shall have the force of law, with which
13 all public buildings hereafter constructed shall conform; and
14 when any existing buildings are undergoing repairs the same
15 shall, so far as practicable, be thereto applied. The duty of
16 such inspector shall be to execute, under his personal super-
17 vision, the aforesaid regulations, and to make full reports
18 thereof to the Commissioner of Public Health.

1 SEC. 7. That the Commissioner of Public Health shall
2 appoint, by and with the advice and consent of the Senate, a
3 chief clerk of his Bureau, who shall conduct the correspondence
4 and keep the records thereof, and during the absence or disa-
5 bility of the Commissioner of Public Health may be desig-
6 nated by him, with the assent of the Secretary of the Treasury,
7 to act as his deputy, or in case of the removal or death of the
8 Commissioner of Public Health may be designated by the
9 Secretary of the Treasury and the President to act as head of
10 the Bureau till the vacancy is filled. The chief clerk shall
11 take and subscribe the oath of office, and his compensation
12 and tenure of office shall be the same as that of the superin-
13 tendents of quarantine.

1 SEC. 8. That the Commissioner of Public Health shall
2 appoint, by and with the advice and consent of the Senate, a
3 public analyst, who shall make or superintend chemical anal-
4 yses and microscopical examinations of all substances sub-
5 mitted to him for such purpose by the Commissioner of Pub-
6 lic Health, and prepare full reports of the same. He shall
7 take and subscribe the oath of office, and his compensation
8 and tenure of office shall be the same as that of the chief clerk
9 aforesaid. The public analyst shall be provided with a
10 proper laboratory, apparatus, and instruments for doing his
11 work well by the Secretary of the Treasury.

1 SEC. 9. That the Commissioner of Public Health and

2 the Surgeon-General of the Army shall prepare a code of
3 proper regulations for the better sanitation of the Army of
4 the United States, which said regulations, when approved
5 by the Secretary of War, the Attorney-General, and the
6 President, and officially published, shall have the force of law,
7 and shall be executed by surgeons in the Army, under the
8 supervision of their military superiors. The Commissioner of
9 Public Health and the Surgeon-General of the Navy shall
10 prepare a code of proper regulations for the better sanitation of
11 the Navy of the United States, which said regulations, when
12 approved by the Secretary of the Navy, the Attorney-Gen-
13 eral, and the President, and officially published, shall have
14 the force of law, and shall be executed by surgeons in the
15 Navy, under the supervision of their naval superiors. The
16 Commissioner of Public Health and the Commissioner of
17 Education shall prepare a code of proper regulations for the
18 better sanitation of all schools within the jurisdiction of the
19 United States, which said regulations, when approved by the
20 Secretary of the Interior, the Attorney-General, and the
21 President, and officially published, shall have the force of law,
22 and shall be executed by the Commissioner of Education.
23 The Commissioner of Public Health and the Surgeon-
24 General of the Marine Hospital Service shall prepare a
25 code of proper regulations for the better sanitation of mer-
26 chant vessels sailing under the flag of the United States,

27 which said regulations, when approved by the Secretary of
28 the Treasury, the Attorney-General and the President, and
29 officially published, shall have the force of law, and shall be
30 executed by the surgeons of the Marine Hospital Service,
31 under the supervision of the Surgeon-General of said service.
32 Any vessels neglecting or refusing to comply with the afore-
33 said regulations shall forfeit their right of registration. The
34 Commissioner of Public Health and the Commissioner of
35 Agriculture shall prepare a code of proper regulations for the
36 better sanitary transportation from State to State of animals
37 designed for the food of man, which said regulations, when
38 approved by the Secretary of the Treasury, the Attorney-
39 General, and the President, and officially published, shall
40 have the force of law, and shall be executed by the agents of
41 the Agricultural Department, under the supervision of the
42 Commissioner thereof, or by the superintendents of quaran-
43 tine herein provided for, under the supervision of the Com-
44 missioner of Public Health. The Commissioner of Public
45 Health and the president of the American Medical Associa-
46 tion shall prepare a code of regulations for the practice of
47 physic and surgery, and midwifery, in any place or Territory
48 under the jurisdiction of the United States, which said regu-
49 lations, when approved by the Secretary of the Interior, the
50 Attorney-General, and the President, and officially published,
51 shall have the force of law, and shall be executed by the

52 Commissioner of Public Health. Such regulations shall not
53 include the Army, Navy, and Marine Hospital medical serv-
54 ices. For the service aforesaid the president of the American
55 Medical Association is hereby appointed, and shall receive
56 such compensation therefor as may be agreed upon between
57 him and the Commissioner of Public Health, with the approval
58 of the Secretary of the Treasury.

1 SEC. 10. That all goods designed for the food or drink
2 of man, for wearing apparel, or for the furniture or decora-
3 tion of habitations so poisoned, by adulteration, by coloring
4 matter, or by any ingredient whatsoever, as to become demon-
5 strably dangerous to human life or health, are hereby declared
6 to be contraband of commerce anywhere within the exclusive
7 jurisdiction of the United States, and may be seized, detained,
8 confiscated, or destroyed by the Commissioner of Public
9 Health or his agents, with the approval of the Secretary of
10 the Treasury, the Attorney-General, and the President.

1 SEC. 11. That the Commissioner of Public Health may
2 call on the President to detail Army surgeons, with the con-
3 currence of the Secretary of War, or Navy surgeons, with
4 the concurrence of the Secretary of the Navy, to investigate
5 special diseases or their causes. When Army or Navy sur-
6 geons are thus detailed they shall receive no extra compensa-
7 tion, but their actual necessary traveling expenses shall be
8 paid, for which vouchers shall be rendered. They shall make

9 full reports of their investigations to the Commissioner of
10 Public Health.

1 SEC. 12. That the Commissioner of Public Health may,
2 with the approval of the Secretary of the Treasury and the
3 President, and shall, on the requisition of the Secretary of the
4 Treasury and the President, temporarily employ competent
5 physicians to aid the superintendents of quarantine during the
6 invasion of an epidemic disease; and physicians thus tempo-
7 rarily employed shall receive compensation at the rate of ten
8 dollars per day during the time of actual service, and their
9 actual and necessary traveling expenses shall be paid, for
10 which vouchers shall be rendered.

1 SEC. 13. That the Commissioner of Public Health shall
2 issue a weekly bulletin, for free distribution to all health boards
3 and to the press of the country, containing an abstract of sani-
4 tary information in his possession that may be useful and in-
5 teresting to the people. He shall make an annual report to
6 the Secretary of the Treasury, to be transmitted by him to
7 Congress, containing a full account of all the transactions and
8 expenditures of the Bureau. The bulletin and report afore-
9 said, and all other necessary documents, shall be printed at
10 the Government Printing Office, on the requisition of the Com-
11 missioner of Public Health, in the same manner and subject
12 to the same provisions as other public printing for the several
13 departments of the Government.

1 SEC. 14. That any violation of the provisions of this
2 act, or of the regulations authorized by this act, shall be pun-
3 ishable by a fine of not less than one hundred dollars nor more
4 than one thousand dollars, or by imprisonment not less than
5 thirty days nor more than one year, or by both such fine and
6 imprisonment, in the discretion of the court. The district
7 courts and the prosecuting attorneys of the United States are
8 hereby required to take cognizance of offenses arising under
9 this act within their several jurisdictions.

1 SEC. 15. That to defray the expenses incurred in carry-
2 ing out the provisions of this act the sum of four hundred
3 thousand dollars, or so much thereof as may be necessary, is
4 hereby appropriated, to be disbursed, under direction of the
5 Secretary of the Treasury, on the requisition of the Commis-
6 sioner of Public Health.

1 SEC. 16. That an act entitled "An act to prevent the
2 introduction of contagious and infectious diseases into the
3 United States and to establish a National Board of Health,"
4 approved March third, eighteen hundred and seventy-nine,
5 and all other acts or parts of acts conflicting with the provis-
6 ions of this act, are hereby repealed.

1 SEC. 17. That this act shall be in force on and after its
2 passage and publication.

48TH CONGRESS, }
2D Session. } **S. 2518.**

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